



State of New Jersey
DEPARTMENT OF HEALTH AND SENIOR SERVICES
OFFICE OF EMERGENCY MEDICAL SERVICES
PO BOX 360
TRENTON, N.J. 08625-0360

JON S. CORZINE
Governor

www.nj.gov/health

FRED M. JACOBS, M.D., J.D.
Commissioner

October 12, 2006

Mr. Gary L. Desrosiers

Re: **Notice of Summary Suspension:**
EMT-Basic Certification
Investigation Control # 06-C-095

Dear Mr. Desrosiers:

The New Jersey Department of Health and Senior Services is vested with the responsibility of carrying out the provisions of the Health Care Facilities Planning Act, N.J.S.A. 26:2H-1, et seq., which was enacted, in part, to ensure that all hospital and related health care services rendered in the State of New Jersey are of the highest quality. As defined at N.J.S.A. 26:2H-2b, health care services include any pre-hospital care rendered by paramedical and ambulance services. These laws establish a scheme that permits certain individuals, once certified, to perform basic life support (BLS) services. In furtherance of the objectives set forth in the statutes, the Department of Health and Senior Services (the Department) has adopted regulations that govern the training, certification and professional conduct of EMT-Basics. See N.J.A.C. 8:40A-1.1, et seq.

On September 25, 2006 the Department's Office of Emergency Medical Services (OEMS) received a complaint that you had been arrested for engaging in sexual conduct with a minor on or about September 9, 2006. OEMS initiated an investigation in response to the complaint.

OEMS staff obtained copies of Complaint-Warrants in connection with your arrest on or about September 9, 2006 in Burlington County. Complaint-Warrant W2006-0330-1296 alleges that you engaged in sexual conduct which impaired or debauched the morals of a 15 year old child who was under your care, in violation of N.J.S.A. 2C:24-4a. The arrest warrant was signed by the Honorable Richard E. Andronici, JMC. Complaint-Warrant W2006-0330-1306 alleges that you committed aggravated sexual assault against a victim who was under the age of 13 years, in violation of N.J.S.A.

2C:14-2a(1). Complaint-Warrant W2006-0330-1306 further alleges that you committed aggravated sexual assault while acting in the capacity of a resource family parent, guardian, or standing in loco parentis within the household, in violation of N.J.S.A. 2C:14-2a(2)(c). The Complaint-Warrant alleges that this conduct occurred over a six year period, from August 2000 to the present. The arrest warrant was signed by the Honorable Ronald E. Bookbinder, JSC. Bail was set in the amount of \$75,000.

N.J.A.C. 8:40A-10.2(a) states that, "The Commissioner, or his or her designee, may summarily suspend a person's EMT-Basic and/or EMT-Instructor certification when, in his or her opinion, the continued certification of that person poses an immediate or serious threat to the public health, safety or welfare."

Because of the seriousness of the crimes with which you been charged and the need to protect the public from emergency medical services providers against whom probable cause has been established for arrest in connection with the sexual abuse of children, the Department finds that your continued certification as an EMT-Basic constitutes an immediate and serious threat to the health, safety, and welfare of the public. **Therefore, your certification as an EMT-Basic is immediately suspended and shall remain suspended indefinitely.** You may not, under any circumstances, act in the capacity of or perform the duties of an EMT-Basic in New Jersey during this period of suspension. In accordance with N.J.A.C. 8:40A-7.1(f), certification cards are the property of the Department and shall be immediately surrendered upon demand. You are hereby directed to immediately surrender your EMT-Basic certification card to OEMS, either by U.S. mail to the address on the first page of this Notice or by physical delivery to OEMS at Capital Center, 50 E. State Street, 6th Floor, Trenton, N.J. You will be notified when OEMS has completed its investigation into this matter, at which time you will be advised what action(s), if any, will be taken with respect to your EMT-Basic certification.

Pursuant to N.J.A.C. 8:40A-10.3(a), you have the right to appeal to the Commissioner of Health and Senior Services for an emergent hearing before the Office of Administrative Law to contest this summary suspension. If the summary suspension is upheld at the Office of Administrative Law, you have the right to apply for injunctive relief in the Superior Court of New Jersey. Your request for an emergent hearing on this matter must be submitted in writing and must be accompanied by a response to the charges contained herein. Please include the control number 06-C-095 on your correspondence, and forward your request to:

New Jersey Department of Health & Senior Services
Office of Legal & Regulatory Affairs
P.O. Box 360, Room 805
Trenton, NJ 08625-0360
Attn: Ms. Michele Stark

Finally, please note that failure to submit a request for a hearing within 30 days from the date of this Notice shall be interpreted as an acceptance of this Department's decision, thereby negating any further appeal rights. If you have any questions concerning this matter, please do not hesitate to contact Mr. Samuel Stewart, OEMS Regulatory Officer, at (609) 633-7777.

Sincerely,



Karen Halupke, RN, M. Ed.
Director
Emergency Medical Services

- c: David Gruber, Senior Assistant Commissioner
Health Infrastructure Preparedness and Emergency Response
Joseph Tricarico, Assistant Commissioner
Health Infrastructure Preparedness and Emergency Response
Samuel Stewart, OEMS Regulatory Officer
Charles McSweeney, OEMS Operations Coordinator
Donald Roberts, OEMS Investigations Supervisor
Tim Seplaki, OEMS Investigator
Michele Stark, OL&RA
National Registry of EMTs
Office of the Burlington County Prosecutor

SENT VIA REGULAR U.S. MAIL AND
CERTIFIED MAIL #
RETURN RECEIPT REQUESTED